



ORDINANCE 519

AN ORDINANCE AMENDING CHAPTER 131 LICENSED BUSINESS OF THE CODE OF THE TOWN OF ELSMERE.

Sponsored by: **The Mayor and Council**

First and Second Reading: **July 08, 2010** **Council Meeting**
Results:

Third and Final Reading: **August 12, 2010** **Council Meeting**
Results:

ORDINANCE 519

AN ORDINANCE AMENDING CHAPTER 131 OF THE CODE OF THE TOWN OF ELSMERE.

WHEREAS, The Mayor and Council have been advised that the current cost of a Town business license is lower than that of several other municipalities and needs to be increased to better cover the costs incurred by the Code Enforcement Office related to business licenses.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF ELSMERE AS FOLLOWS:

That Chapter 131 of Code of the Town of Elsmere be amended by;

1. Replacing \$100 wherever it appears with \$150.00
2. In Section 131 - 4 Fees, A (20);

Change \$55 to \$105.00.
3. In Section 131 - 4 Fees, A (21);

Change \$125 to \$175.00.
Change \$155 to \$205.00.
4. In Section 131 - 4 Fees, A (36);

Change \$75 to \$125.00.
5. In Section 131 - 4 Fees, A (47), (48) and (49) ;

Change \$155 to \$205.00.
6. In Section 131 - 4 Fees, B.;

Change \$60 to \$110.00.
7. Wherever the words "Town Manager" appear add the words "or their designee" immediately after the word "Manager".

8. In Section 131 - 7 License Requirements:

Insert the following after the second sentence and before the third sentence:

"Additionally no license shall be issued until the applicant has provided proof that they have obtained all licenses required by either the State of Delaware or New Castle County and that they have valid business insurance."

9. In Section 131 - 10 D.;

Change \$25 to \$75.00 and \$100 to \$150.00.

10. In Section 131 - 14 Enforcement;

Change \$25 to \$75.00 and \$100 to \$150.00.

11. In Section 131 - 20 Delinquencies; Penalties: B.;

Change 10% to \$25%.

12. In Section 131 - 20 Delinquencies; Penalties: D.;

Delete the existing 131-20 D. in its entirety and insert in its place a new 131-20 D. to read as follows.

131 - 20 D.

Any person or company required to be licensed under this chapter who conducts business within the Town prior to obtaining the required license shall be fined not less than \$300.00 nor more than \$600.00 and shall immediately cease and desist from doing business within the Town until they have obtained the proper license.

Each day a business, person or company continues to carry on or engage in any business, profession or calling without a valid business license shall constitute and be a separate offense and punishable as such.

Any Police Officer and the Code Enforcement Officers of the Town of Elsmere shall be authorized to enforce the provisions of this chapter.

July 8, 2010
First and Second Reading

August 12, 2010
Third and Final Reading

Deborah A. Norkavage, Mayor

Joann I. Personti, Secretary

Approved as to form:

Town Solicitor

SYNOPSIS

ORDINANCE 519

This ordinance;

1. Increases the cost of a business license by \$50.00.
2. Requires applicants to have the proper State and County Licenses prior to being issued a Town license.
3. Requires applicants to have the proper insurance prior to being issued a Town license.
4. Sets a fine of \$300.00 to \$600.00 for operating a business without a proper business license (making it cheaper to obtain a license than operate without one).
5. Makes each day that a business operates without the proper license a separate offense.

Fiscal Impact: This ordinance has the potential to increase revenue by approximately \$36,000.00 annually.